

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF MAGOFFIN	)	CASE NO.
COUNTY WATER DISTRICT FOR A RATE	)	2023-00299
ADJUSTMENT PURSUANT TO 807 KAR 5:076	)	

ORDER

On November 7, 2023, Magoffin County Water District (Magoffin District) filed an application with the Commission, pursuant to 807 KAR 5:076, requesting an adjustment to its water rates.<sup>1</sup> The Commission established a procedural schedule by Order dated December 4, 2023, that, among other things, required Commission Staff to file with the Commission and serve upon all parties of record a written report (Commission’s Staff Report) containing its findings and recommendations regarding Magoffin District’s requested water rate adjustment, no later than March 7, 2024.

Due to issues that Commission Staff has encountered regarding Magoffin District’s application that require further information and clarification, the Commission, on its own motion, finds that the procedural schedule established on December 4, 2023, should be amended to afford Commission Staff additional time to clarify certain matters before issuing the Commission Staff Report. Specifically, the Commission finds that the date for filing the Commission Staff’s Report should be extended to April 10, 2024, and a supplemental request for information will be issued as an Appendix to this Order.

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<sup>1</sup> Magoffin District tendered its application on September 8, 2023. By letters dated September 12, 2023 and October 30, 2023, the Commission rejected the application for filing deficiencies. The deficiencies were subsequently cured, and the application is deemed filed on November 7, 2023.

Responses to additional supplemental request for information shall be filed by Magoffin District no later than March 14, 2024.

After Commission Staff's Report is filed on or before the amended deadline of April 10, 2024, Magoffin District will have 14 days to file a written response to Commission Staff's Report.<sup>2</sup> If Magoffin District does not file written objections to a finding contained in Commission Staff's Report within 14 days after the date of the filing of Commission Staff's Report, it shall be deemed a waiver of all objections to that finding.<sup>3</sup>

IT IS THEREFORE ORDERED that:

1. The procedural schedule established on December 4, 2023, is amended.
2. On or before March 14, 2024, Magoffin District shall file its responses to the Commission Staff's request for information, attached as an Appendix to this Order.
3. Magoffin District shall file its written response, if any, to Commission Staff's Report within 14 days of the filing of the Commission Staff's Report.
4. Commission Staff's Report is due on or before April 10, 2024.
5. All provisions of the Commission's December 4, 2023 Order that are in conflict with the provisions of this Order are vacated, and all other provisions not in conflict with the provisions of this Order shall remain in effect.

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<sup>2</sup> 807 KAR 5:076, Section 11(3)(a).

<sup>3</sup> 807 KAR 5:076, Section 11(3)(c).

PUBLIC SERVICE COMMISSION



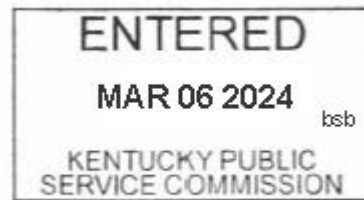
Chairman



Vice Chairman



Commissioner



ATTEST:



Executive Director

## APPENDIX

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2023-00299 DATED MAR 06 2024

#### COMMISSION STAFF'S THIRD REQUEST FOR INFORMATION TO MAGOFFIN COUNTY WATER DISTRICT

Magoffin County Water District (Magoffin District), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on March 14, 2024. The Commission directs Magoffin District to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>4</sup> regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Magoffin District shall make timely amendment to any prior response if Magoffin District obtains information that indicates the response was incorrect or incomplete when

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<sup>4</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Magoffin District fails or refuses to furnish all or part of the requested information, Magoffin District shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Magoffin District shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the response to filing deficiencies noted in the letter dated October 30, 2023, Exhibit A filed on November 7, 2023 and 807 KAR 5:076 Section 3(a)–(c). State whether Magoffin District provided notice to customers of the rate increase by mailings to customers, published in the newspaper of general circulation in Magoffin District's service area, or published in a trade publication or newsletter delivered to all customers. If notification was published, provide the tear sheets showing the legal notice advertisement published by Magoffin District. If the notice was mailed to customers, provide a copy of the mailing and date of mailing.

2. Refer to 807 KAR 5:076 Section 5(1)(a). State whether Magoffin District posted, at its place of business, a copy of the notice no later than the date the application was submitted to the Commission. If not, explain why not.

3. Refer to 807 KAR 5:076 Section (5)(1)(b)(1) and (2). State whether Magoffin District, within five business days of the date of the application was submitted to the Commission, posted on its website a copy of the public notice and a hyperlink to the location on the Commission's website where the case documents are available. If yes, please submit any proof of notice on the website with instructions on where to locate said publication. If not, explain why not.

4. Refer to the response to filing deficiencies noted in the letter dated October 30, 2023, Exhibit A filed on November 7, 2023. State whether Magoffin District has provided notice to customers reflecting the revenue requirement with the corrected test year. If so, provide the tear sheets showing the legal notice advertisement and any other documentation reflecting notice. If not, explain why not.

5. Refer to Magoffin District's Response to Commission Staff's First Request for information (Staff's First Request), Item 1e, 1e\_Payroll.pdf.

a. Confirm the dates when the two field laborers, who are no longer with Magoffin District, ceased to be employed by Magoffin District.

b. Confirm whether the two field-laborer position(s) will be filled or eliminated.

c. Confirm the part-time secretary's salary is \$1,750 per month.

d. Confirm the number of full- and part-time employees currently employed by Magoffin District.

6. Refer to Magoffin District's response to Staff's First Request, Item 3, 3\_Benefits\_Invoices.pdf. Confirm the policy types (employee only, family, etc.) held by the two employees who receive medical insurance through Magoffin District.

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